

JUL 19 2004

FCC - MAILROOM

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

MM Docket No. 01-47

In the Matter of)
)
Amendment of Section 73.202 (b)) RM-10063
Table of Allotments,) RM-10119
FM Broadcast Stations) RM-10120
(Valley Mills, TX))

To: The Chief, Allocations Branch

RESPONSE OF FARRIS BROADCASTING, INC.
TO ORDER TO SHOW CAUSE

Farris Broadcasting, Inc. ("KNEL"), licensee of FM broadcast station KNEL-FM, Brady, TX, by its counsel, herewith submits its written statement in response to the ORDER TO SHOW CAUSE released June 10, 2004 in the above-captioned proceeding. In support whereof, the following is stated.

1. The Commission has proposed, in the instant rulemaking, to require KNEL to change its channel from 237A to 296A. KNEL objects to the Order to Show Cause because the proposed change would create extreme listener confusion in this case. The issue of educating the public to the change in channel position in this particular case would be a major obstacle because the new station could be heard in the existing KNEL signal area. An intense advertising campaign will be required to overcome this confusion. In addition to having to overcome the problem of public confusion, the minimum cost of making the change would be \$60,000 (see attached Exhibit 1).

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2. In the event the Commission determines that the public interest would be served by the proposed change, it is respectfully submitted that the Commission take action, as it has done in the past (Columbus, Nebraska, et al., 59 RR2d 1184 (1986)), to assure that the proponent of the change (Roy E. Henderson) is ready, willing and able to reimburse KNEL at least to the minimal extent required for the proposed change in frequency. Therefore, the Commission should require Henderson to place an amount equal to KNEL's minimum cost estimates (\$60,000.00) in escrow prior to undertaking the frequency change proposed in this proceeding, and the Commission should require Henderson to express his willingness to do so before ordering the change.

Although Farris objects to the proposed change because of the listener confusion that would be caused by this proposal, Farris agrees to withdraw its objection should Henderson place the above-mentioned funds in escrow and provided that the change to the new frequency would be at the maximum power and height for a Class A facility.

Respectfully submitted,

Law Offices
JAMES L. OYSTER
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July 15, 2004

FARRIS BROADCASTING, INC.

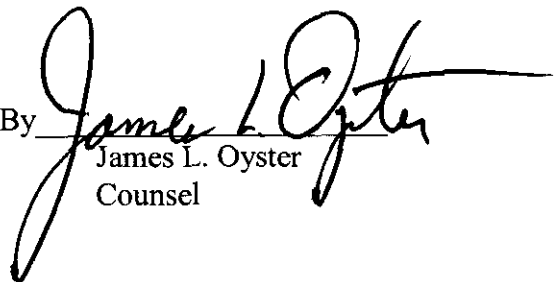
By 
James L. Oyster
Counsel

EXHIBIT 1

Minimum Costs of Change of Frequency

- New Antenna, transmission line, and related equipment - \$25,000
- Installation of antenna and line - \$12,500
- Application fee and related engineering costs - \$5,000
- Engineering proof of performance - \$5,000
- Local engineering costs for installation of antennae and retuning of transmitter - \$2,500
- Harmonic filer for transmitter - \$1,000
- New Air Monitor for new frequency - \$2,000
- Redesign station logo and produce camera-ready artwork - \$1,500
- Replace stationery, envelopes and forms - \$2,000
- Replace station banners, signage and repaint station trailer - \$2,000
- Replace station jingle/ID package - \$2,000

- ESTIMATED MINIMUM COST - \$60,000

CERTIFICATE OF SERVICE

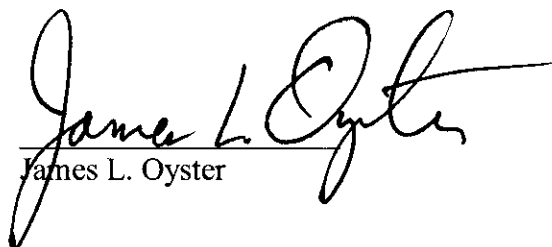
James L. Oyster hereby certifies that he has sent a copy of the foregoing Response by first class U.S. mail, postage prepaid, on or before the 15th day of July, 2004, to the following:

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